

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of 2013 Iowa Acts, Senate File 427, section 35, and Iowa Code section 105.4, the Department of Public Health and the Plumbing and Mechanical Systems Board hereby give Notice of Intended Action to amend Chapter 30, “Continuing Education for Plumbing and Mechanical Systems Professionals,” Iowa Administrative Code.

Items 1, 2, 3, 5, and 8 are necessary to implement 2013 Iowa Acts, Senate File 427, which became effective upon enactment on April 26, 2013, by operation of section 36 of the Senate File.

The additional purposes of the following items are as follows:

Item 6 increases the number of hours of continuing education a licensee may obtain through computer-based courses. This amendment is intended to decrease the burden on licensees that may result from traveling to in-person continuing education courses.

Items 1 and 7 clarify that an audit performed pursuant to 641—30.5(105) shall be referred to as “compliance review.”

Any interested person may make written suggestions or comments on these amendments on or before August 27, 2013. Written materials should be directed to Cynthia Houlson, Plumbing and Mechanical Systems Board, 321 E. 12th Street, Des Moines, Iowa 50319-0075; fax (515)281-6114; e-mail cynthia.houlson@idph.iowa.gov.

There will be a public hearing on August 27, 2013, from 11:30 a.m. to 1 p.m., at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments. This hearing will originate from the Iowa Communications Network (ICN) and will be accessible over the ICN from the following locations:

Public Library
529 Pierce Street
Sioux City

Crestwood High School
1000 4th Avenue East
Cresco

Public Library, Meeting Room C
415 Commercial Street
Waterloo

Ottumwa Regional Health Center
1001 E. Pennsylvania
Ottumwa

Spirit Lake High School
2701 Hill Avenue
Spirit Lake

Public Library Information Center
Kelinson Room
2950 Learning Campus Drive
Bettendorf

Lucas State Office Building, Sixth Floor
321 E. 12th Street
Des Moines

Iowa Western Community College – 2
923 E. Washington
Clarinda

Burlington High School
421 Terrace Drive
Burlington

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Plumbing and Mechanical Systems Board at the above address and advise staff of specific needs.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement 2013 Iowa Acts, Senate File 427.

The following amendments are proposed.

ITEM 1. Rescind the definition of “Audit” in rule **641—30.1(105)**.

ITEM 2. Adopt the following **new** definitions in rule **641—30.1(105)**:

“*Compliance review*” means the selection by the board of licensees for verification of satisfactory completion of continuing education requirements during a specified continuing education compliance period.

“*Continuing education compliance period*” means the period between renewals during which a licensee must obtain the requisite amount of continuing education in order to renew the licensee’s license.

“*Iowa mechanical code*” means the most current version of the International Mechanical Code, as adopted and amended by the board.

“*Iowa plumbing code*” means the most current version of the Uniform Plumbing Code, as adopted and amended by the board.

ITEM 3. Amend subrule 30.2(2) as follows:

30.2(2) ~~Each continuing education compliance period:~~ The following continuing education requirements shall apply only to each licensee’s first renewal on or after July 1, 2014. For all renewals thereafter, the requirements of subrule 30.2(3) shall apply:

a. to d. No change.

ITEM 4. Renumber subrules **30.2(3)** to **30.2(5)** as **30.2(4)** to **30.2(6)**.

ITEM 5. Adopt the following **new** subrule 30.2(3):

30.2(3) During each continuing education compliance period, each active or inactive master and journeyman licensee must obtain the following amounts of continuing education:

a. Safety education. Each licensee holding a single license shall complete two hours, and each licensee holding multiple licenses shall complete four hours, of continuing education in the content area of the Iowa Occupational Safety and Health Act.

b. Code education.

(1) Each licensee holding one or more license or sublicense in a mechanical discipline shall complete two hours of continuing education in the content area of the Iowa mechanical code.

(2) Each licensee holding a plumbing license or sublicense shall complete two hours of continuing education in the content area of the Iowa plumbing code.

c. Discipline education.

(1) A licensee holding a single plumbing license or sublicense, or a single license or sublicense in a mechanical discipline, shall complete four hours of continuing education in the discipline in which the licensee holds a license.

(2) A licensee holding multiple licenses or sublicenses shall complete eight hours of continuing education in the relevant disciplines.

d. Private school or college maintenance specialty license. For the purposes of this subrule, a private school or college routine maintenance specialty license shall be considered to be a sublicense of whatever discipline(s) in which the licensee actually practices.

ITEM 6. Amend renumbered subrule 30.2(4) as follows:

30.2(4) Up to ~~2 hours~~ one-half of board-approved continuing education required by subrule 30.2(2) each continuing education compliance period may be obtained through completion of computer-based continuing education programs/activities approved by the board.

ITEM 7. Amend rule 641—30.5(105), introductory paragraph, as follows:

641—30.5(105) ~~Audit~~ Compliance review of continuing education requirements. The board may conduct ~~an audit~~ a review of a licensee's license renewal application to ~~review~~ determine compliance with continuing education requirements.

ITEM 8. Amend **641—Chapter 30**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 105 and 272C and 2013 Iowa Acts, Senate File 427.